

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: June 15, 2005

Division: County Attorney

Bulk Item: Yes ☐ No ☒

Staff Contact Person: Pedro Mercado

AGENDA ITEM WORDING: Proposal of settlement offer by Blair and Althea Mooney.

ITEM BACKGROUND: On 9/6/03, the Code Enforcement Special Master imposed a daily fine of \$500.00 against the Blair and Althea Mooney property on Summerland Key for engaging in commercial expansion by adding outside seating, decking, fencing, awning, screening and electrical without planning department approval. The property was brought into compliance on June 23, 2004. On 8/25/04 the Special Master authorized the initiation of collection proceedings of the fine and costs which total \$146,100.00. Attorney Theodore Herzog, who has been retained by the Mooney's, is seeking mitigation of the fine. The County has offered to settle the outstanding lien for \$14,610, ten percent of the original fine. While not providing a specific number, Mr. Herzog is seeking some lower amount. The County has not agreed to a lesser amount due to the length of time it has taken to bring the property into compliance.

PREVIOUS RELEVANT BOCC ACTION:

The BOCC authorized collection at the November BOCC meeting.

CONTRACT/AGREEMENT CHANGES:

N/A

STAFF RECOMMENDATIONS:

Settle the outstanding lien at the recommended amount of \$14,610.

TOTAL COST: N/A

BUDGETED: Yes ☐ No ☐

COST TO COUNTY: N/A

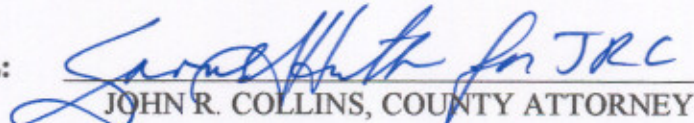
SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes ☒ No ☐

AMOUNT PER MONTH _____ **Year** _____

APPROVED BY: County Atty ☒ OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL:


JOHN R. COLLINS, COUNTY ATTORNEY

DOCUMENTATION: Included ☐ Not Required ☒

DISPOSITION: _____

AGENDA ITEM # _____